

HOUSE BILL NO. 283

INTRODUCED BY JOPEK, WEINBERG

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING FUNDING FOR CITY AND TOWN FIREFIGHTER RELIEF ASSOCIATION DISABILITY AND PENSION FUNDS; AMENDING SECTIONS 19-18-501, 19-18-503, AND 19-18-504, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 19-18-501, MCA, is amended to read:

"19-18-501. Contributions to fund. The disability and pension fund ~~shall consist~~ consists of:

(1) all bequests, fees, gifts, emoluments, donations, or money from other sources given or paid to the fund, except as otherwise designated by the donor;

(2) a monthly ~~fee which shall be paid into~~ contribution to the fund by each paid or part-paid member of the association amounting to 6% of the member's regular monthly salary;

(3) the proceeds of the tax levy provided for in ~~19-18-503 and~~ 19-18-504;

(4) all ~~moneys~~ money received from the state, including those payments provided for in 19-18-512; and

(5) all interest and other income earned from the investment of the fund."

Section 2. Section 19-18-503, MCA, is amended to read:

"19-18-503. ~~Special tax levy for fund required~~ Fund to be soundly funded. (1) ~~The purpose of this section is to provide a means by which each~~ Each disability and pension fund ~~may be~~ must be soundly funded.

The fund is soundly funded if, subject to subsection (2):

(a) assets in the fund are maintained at a level equal to at least 0.21% but no more than 0.52% of the total assessed value of taxable property, determined as provided in 15-8-111, within the limits of the city or town; or

(b) funding is maintained at a level determined by an actuarial valuation to be sufficient to keep the fund actuarially sound.

(2) An actuarial valuation may be requested only by a city, town, or association. Once an actuarial valuation has been conducted, funding must continue to be based on actuarial determinations rather than on

1 the total assessed value of taxable property pursuant to subsection (1)(a).

2 ~~(2) Subject to 15-10-420, if the fund contains less than 0.21% of the total assessed value of all taxable~~
3 ~~property within the limits of the city or town, the governing body of the city or town shall, at the time of the levy~~
4 ~~of the annual tax, levy a tax as provided in 19-18-504. The tax must be collected as other taxes are collected~~
5 ~~and, when collected, must be paid into the disability and pension fund."~~

6
7 **Section 3.** Section 19-18-504, MCA, is amended to read:

8 **"19-18-504. Amount of Special tax levy for fund required.** (1) Whenever the fund contains an amount
9 that is less than 0.21% of the total assessed value of taxable property, determined as provided in 15-8-111,
10 ~~within the city or town~~ the minimum amount required to keep the fund soundly funded pursuant to 19-18-503,
11 the city or town council shall, subject to 15-10-420, levy an annual tax on the taxable value of all taxable property
12 within the city or town.

13 (2) When the fund contains an amount that is less than 0.52% but more than 0.21% of the total
14 assessed value of all taxable property within the city or town, the city or town council may, if authorized by the
15 voters as provided in 15-10-425, levy an annual tax.

16 (3) All revenue from the tax must be deposited in the fund."
17

18 **NEW SECTION. Section 4. Effective date.** [This act] is effective on passage and approval.

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